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Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

Report of the First Committee

Rapporteur: Mr. Rastislav **Gabriel** (Slovakia)

I. Introduction

1. The item entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction" was included in the provisional agenda of the fifty-fifth session of the General Assembly in accordance with Assembly resolution 54/61 of 1 December 1999.

2. At its 9th plenary meeting, on 11 September 2000, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 14 September 2000, the First Committee decided to hold a general debate on all disarmament and international security items allocated to it, namely, items 65 to 81, which was held at the 3rd to 13th meetings, from 2 to 13 October (see A/C.1/55/PV.3-13). Thematic discussions on the items were held, and draft resolutions were introduced and considered, at the 14th to 21st meetings, from 13 to 23 October (see A/C.1/55/PV.14-21). Action on all draft resolutions was taken at the 22nd to 28th meetings, from 25 October to 1 November (see A/C.1/55/PV.22-28).

4. For its consideration of the item, the Committee had before it the following documents:

(a) Letter dated 21 June 2000 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General (A/55/88);

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(b) Letter dated 18 July 2000 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General, transmitting the conclusions of the Ministers for Foreign Affairs of the Group of Eight, meeting at Miyazaki, Japan, on 13 July 2000 (A/55/162-S/2000/715);

(c) Letter dated 1 August 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Japan to the United Nations addressed to the Secretary-General, transmitting the communiqué Okinawa 2000 adopted by the Group of Eight on 23 July 2000 (A/55/257-S/2000/766);

(d) Letter dated 15 September 2000 from the Permanent Representative of Panama to the United Nations addressed to the Secretary-General (A/55/392-S/2000/874);

(e) Letter dated 17 October 2000 from the Permanent Representatives of the Russian Federation and the United States of America to the United Nations addressed to the Secretary-General (A/C.1/55/9).

II. Consideration of draft resolution A/C.1/55/L.42

5. At the 18th meeting, on 19 October, the representative of Hungary, on behalf of Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Germany, Greece, Haiti, Hungary, Iceland, India, Ireland, Italy, Japan, Kenya, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Mongolia, the Netherlands, Nigeria, Norway, Panama, Peru, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, the Russian Federation, San Marino, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction" (A/C.1/55/L.42). Subsequently, Cuba, the Islamic Republic of Iran, Latvia and New Zealand joined in sponsoring the draft resolution.

6. At the 26th meeting, on 31 October, the Secretary of the Committee drew attention to a note by the Secretariat (A/C.1/55/L.54) concerning the responsibilities entrusted to the Secretary-General under draft resolution A/C.1/55/L.42.

7. At the same meeting, the Committee adopted draft resolution A/C.1/55/L.42 without a vote (see para. 8).

III. Recommendation of the First Committee

8. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

The General Assembly,

Recalling its previous resolutions relating to the complete and effective prohibition of bacteriological (biological) and toxin weapons and to their destruction,

Noting with satisfaction that there are one hundred and forty-three States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,[1] including all of the permanent members of the Security Council,

Bearing in mind its call upon all States parties to the Convention to participate in the implementation of the recommendations of the Review Conferences, including the exchange of information and data agreed to in the Final Declaration of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,[2] and to provide such information and data in conformity with standardized procedure to the Secretary-General on an annual basis and no later than 15 April,

Recalling the provisions of the Convention related to scientific and technological cooperation and the related provisions of the final report of the Ad Hoc Group of Governmental Experts to Identify and Examine Potential Verification Measures from a Scientific and Technical Standpoint,[3] the final report of the Special Conference of the States Parties to the Convention,[4] held from 19 to 30 September 1994, and the final documents of the Review Conferences,

Welcoming the reaffirmation made in the Final Declaration of the Fourth Review Conference[5] that under all circumstances the use of bacteriological (biological) and toxin weapons and their development, production and stockpiling are effectively prohibited under article I of the Convention,

Recalling its resolution 49/86, adopted without a vote on 15 December 1994, in which it welcomed the final report of the Special Conference of the States Parties to the Convention, adopted by consensus on 30 September 1994, in which the States parties agreed to establish an ad hoc group, open to all States parties, whose objective should be to consider appropriate measures, including possible verification measures, and draft proposals to strengthen the Convention, to be included, as appropriate, in a legally binding instrument to be submitted for the consideration of the States parties,

1. *Notes with satisfaction* the increase in the number of States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,[1]

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[1] Resolution 2826 (XXVI), annex.
[2] BWC/CONF.III/23, part II.
[3] BWC/CONF.III/VEREX/9 and Corr.1.
[4] BWC/SPCONF/1.
[5] BWC/CONF.IV/9, part II.

reaffirms the call upon all signatory States that have not yet ratified the Convention to do so without delay, and calls upon those States that have not signed the Convention to become parties thereto at an early date, thus contributing to the achievement of universal adherence to the Convention;

2. *Welcomes* the information and data provided to date, and reiterates its call upon all States parties to the Convention to participate in the exchange of information and data agreed to in the Final Declaration of the Third Review Conference of the Parties to the Convention;[2]

3. *Welcomes* the progress achieved so far in the negotiation of a protocol to strengthen the Convention and reaffirms the decision of the Fourth Review Conference of the Parties to the Convention urging the conclusion of the negotiations by the Ad Hoc Group of Governmental Experts to Identify and Examine Potential Verification Measures from a Scientific and Technical Standpoint as soon as possible before the commencement of the Fifth Review Conference and urging it to submit its report, which shall be adopted by consensus, to the States parties for consideration at a Special Conference;

4. *Calls upon* all States parties, in this context, to accelerate the negotiations, and to redouble their efforts within the Ad Hoc Group to formulate an efficient, cost-effective and practical regime and to seek early resolution of the outstanding issues through renewed flexibility in order to complete the protocol in accordance with the decision of the Fourth Review Conference;

5. *Notes* that, at the request of the States parties, the Fifth Review Conference of the Parties to the Convention will be held at Geneva from 19 November to 7 December 2001, and that, after appropriate consultation, a Preparatory Committee for that Conference, open to all States parties to the Convention, has been established and will meet at Geneva from 25 to 27 April 2001;

6. *Requests* the Secretary-General to continue to render the necessary assistance to the depositary Governments of the Convention, to provide such services as may be required for the implementation of the decisions and recommendations of the Review Conferences, as well as the decisions contained in the final report of the 1994 Special Conference of the Parties to the Convention,[4] including all necessary assistance to the Ad Hoc Group and the Special Conference, which is to consider the report of the Ad Hoc Group, in accordance with its mandate, as confirmed by the Fourth Review Conference, and to render the necessary assistance and to provide such services as may be required for the Fifth Review Conference and its preparations;

7. *Decides* to include in the provisional agenda of the fifty-sixth session the item entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction".